T 215
.C75
Copy 1

A REFERENCE CHART

T
215
.C75

LIBRARY OF CONGRESS.

Chap. T215 Copyright No.

Shelf .C75

UNITED STATES OF AMERICA.

A REFERENCE CHART

—FOR—

Inventors, Patentees and Owners of Patents.

———oooo———

Containing in tabular form a concise summary of the Law and Practice governing the grant of Patents in those countries where Patents are usually obtained by Americans, and the cost of obtaining Patents therein.

———oooo———

LIBRARY OF CONGRESS, COPYRIGHT JUN 24 1886 13880 R CITY OF WASHINGTON

BY

HENRY CONNETT,

Solicitor of Patents and Expert.

NEW YORK:

1886.

[Copyright. 1886.]

EXPLANATION.

I have endeavored, in compiling this Chart, to answer briefly and yet fully the more important of the many questions usually asked by clients about the cost of Patents and the practice in the countries named. The countries selected are those in which Patents are most commonly taken by inventors in this country. The other more or less important countries which grant Patents are MEXICO, DENMARK, PORTUGAL, SANDWICH ISLANDS, TURKEY, GREECE, BRAZIL, CHILI, ARGENTINE REPUBLIC, and the AUSTRALIAN COLONIES.

SWITZERLAND, HOLLAND, EGYPT, CHINA, HAYTI, and some of the less important countries, do not now grant Patents.

HENRY CONNETT.

NEW YORK, June, 1886.

T215
.C75
JUN 24 1886

NOTICE.

The amounts given under heading "ANNUITIES AND TAXE[S TO BE PAID]" include agency charges as well as official charges. The amount given under head[ing "COST OF PATENT"] is that charged by this Agency. When Patents are taken for the sam[e invention in several foreign] countries, a reduction in the charges can be made. In such cas[es an estimate will be furnished.]

REFERENCE CHART.

A COMPENDIUM OF

Useful Information Respecting Patents

IN THE MORE IMPORTANT COUNTRIES OF

AMERICA, EUROPE AND INDIA,

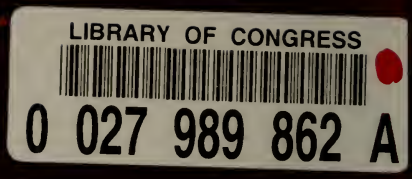
ARRANGED IN TABULAR FORM.

Copyrighted, 1886, by Henry Connett.

BY HENRY CONNETT, SOLICITOR AND EXPERT.

HE[NRY CONNETT,]
SOLICITOR OF A[MERICAN AND FOREIGN PATENTS,]
EXP[ERT IN PATENT CAUSES,]
Room 94, [Temple Court, New York, N. Y.]
Specialties: Difficu[lt and Important Cases and Foreign Patents.]

Country.	Territory Covered by Patent.	Duration of T[erm of Patent.]	Conditions of Grant.	Limitations of Terms, etc.	Annuities or Taxes to be Paid.	Requirements as to Working the Invention.	Examination as to Novelty of Invention.	Assignment o[f Invention.]	Cost of Patent.	Remarks.
1 **UNITED STATES.**	The United States and Territories. Population over 50,000,000.	Seventeen years. [Pro]vided for by law, obtained only by sp[ecial act of Congress] and in especially [meritorious cases.] Term begins with [date of issue.]	Applicant must be the original and first inventor, and invention not in public use or on sale in United States for more than two years. Prior publication by inventor himself, and use of invention by others abroad, no bar to the grant.	Each Patent is limited to expire with the end of the term of any previous foreign patent granted for the same invention to the inventor or his assignees.	No after taxes or annuities.	Invention need not be worked, and importation is permitted.	A rigid examination is made, and a Patent refused if the invention is found wanting in patentable novelty.	Invention may be [assigned either be]fore or after issue o[f Patent, either in] whole or in part. [The assignment] should be recorded [within three months] of its date. Usual [cost, $4.]	Usually about $70 or $75, including all official fees.	After allowance of the application six months is given in which to pay final fee and have the Patent issue. If the final fee is not paid, the application lapses, but may be renewed within two years of date of allowance.
2 **CANADA.**	Dominion of Canada, including all the Provinces. Population about 5,000,000.	Fifteen years, u[sually] from 5 to 10, and r[enewable] begins with date of [issue.]	Applicant must be the inventor, and the invention must not have been in public use in Canada for more than one year prior to the application, with inventor's consent.	Must not have been patented in any foreign country for more than one year prior to date of filing Canadian application.	No taxes; but Patent is usually taken for five years, and extended to the full term by prolongation fees.	Invention must be worked in Canada within two years from date of Patent; but advertising for sale will be sufficient to show effort to supply it. Importation limited to one year from date of Patent.	There is an examination, but if the application conforms to the United States Patent (previously taken) it will be granted in almost all cases.	Assignments may [be] made before or after issue of Patent and must be recorded. Cost, $5.	Varies. Where based on a United States Patent it will usually be, for a 5 years' Patent, $45. To extend from 5 to 10 years, $25; from 10 to 15 years, $35.	A Canadian Patent can usually be obtained in two or three weeks.
3 **GREAT BRITAIN.** (Patent Act January 1, 1884.)	Great Britain, Ireland, Channel Islands and Isle of Man. Population about 30,000,000.	Fourteen years. [Renew]ed. Term begins [with date of] application.	Must be new in the realm. The prior publication of the invention in the United Kingdom will render the Patent invalid. Care should be taken to avoid this.	No limitation by previous foreign patents.	Annual taxes payable during 4th, 5th, 6th and 7th years, $60 each year. During 8th and 9th years, $85 each. During remaining years of term, $110 each. Three months' grace with penalty sometimes granted.	Invention need not be worked, but compulsory license may be exacted if the invention is not supplied in quantity sufficient for public requirements. Importation permitted.	There is a formal examination, but rarely any rejection of application if in proper form. An opposition may be entered only on the ground of fraud or priority of application.	Patents may be assigned, either in whole or in part. The cost of preparing and recording, with stamp, will be, for a simple assignme[nt], $15.	Complete Patent in first instance, usually $100. Provisional Patent for nine months, usually $50.	A complete Patent may be obtained, ordinarily, in three months. Where the first step is a provisional Patent, four to ten months will usually be required.
4 **FRANCE.**	France and Colonies. Population about 37,000,000.	Fifteen years. [Renew]ed for. Term begi[ns with date of] filing application.	Applicant may be inventor or owner. Publication of the invention in *any* country prior to application for French Patent, or previous public use in France, voids the Patent. The Patent, however, is granted as a matter of course, if the application is in form, and is valid until proved invalid.	Term of Patent limited to expiration of any previous foreign patent for the invention.	Annual tax of $27, payable in advance, without grace.	*Bona fide* efforts to work the invention must be made within two years of date of grant, and must be proved, but conditions not very exacting. Importation prohibited, but samples may be imported under special permit.	No examination as to novelty, but patents will not be granted for medicines and financial schemes.	Assignment proper[ly] must be executed in France and legalized, and all annuities paid for full term of patent. Transfer may be effected [by] power-of-attorney	Usually about $85.	It usually requires about four months (including time for transit) to procure a French Patent.
5 **GERMANY.**	German Imperial Patent covers the German Empire. Population about 46,000,000.	Fifteen years. [Renew]able for [the] following that on [which] filed.	Invention must not have been published in any country by the inventor or others prior to date of filing German application. Issue of inventor's U. S. Patent prior to application in Germany voids the German Patent. License compulsory under some circumstances. Applicant may be inventor or owner.	Not limited by previous foreign patent.	Annuities cumulative. For second year $20, and increasing $12.50 each year. Three months' grace.	Invention should be worked within three years from date of Patent, but this requirement does not appear to be rigidly exacted. Importation of the patented article is believed to be sufficient, but it is best to work commercially.	There is a rigid examination, and a good many applications are rejected. In some cases the decisions seem fanciful and arbitrary.	Patent may be assigned in whole or in part. Cost variable.	Usually about $90. Appeal in case of rejection, $20.	Time required to procure Patent usually five to six months, including transit. Models required in case of firearms.
6 **AUSTRO-HUNGARY.**	Austrian Empire and Kingdom of Hungary. Population about 30,000,000.	Fifteen years, sub[ject to the payment] of annual prolonge[s. Term be]gins with date of filing application.	Must be new in the Empire, but the Patent may be taken by the owner of the invention. Food, medicines and beverages cannot be patented.	Patent lapses with the expiration of any previous foreign patent for the invention.	Annuities cumulative. For the 2d, 3d and 4th years, $25 each; for the 5th year, $30. Increases thereafter at the rate of $3 to $5 per year. Payable in advance, date governed by date of issue of Patent. No grace.	Invention must be worked within one year from date of issue of Patent, and working must not cease for any consecutive two years. Working must be *bona fide*, and importation will not serve. One specimen at least must be made. Importation is permitted.	No examination. Patent granted if application is formal.	Patent may be assigned. Cost variable.	Usually about $85 to $90.	It usually requires from seven to nine months to procure an Austro-Patent, including time of transit.
7 **BELGIUM.**	Kingdom of Belgium. Population about 6,000,000.	Twenty years for Patent of Invention. If patented abroad previously, it is called a Patent of Importation, and is limited in term by previous patents. No special provision for extension. Term begins with date of filing application.	Patent may be taken by inventor or owner. It will be void if invention has been described in any book published unofficially in Belgium, or has been worked in Belgium by other parties.	Term limited by previous foreign patent to same party or parties for same invention.	Annuities cumulative. For second year $10, increasing $2 each year. Six months' grace, with moderate penalty.	The invention must be worked industrially in Belgium within a year after it is worked industrially elsewhere, and certificate of working obtained. The working should be kept up to be effective. Importation is not expressly prohibited.	No examination as to novelty is made, and patent granted as a matter of course if papers are in proper form. Patents will not be granted for medicines.	Patent may be assigned. Cost variable.	Usually about $75.	It usually requires about two or three months to procure a Belgian Patent, and its term is usually governed by a previous French Patent.
8 **SPAIN.**	Spain and all the Colonies, including Cuba. Population about 23,000,000.	Twenty years, if not previously patented abroad. If patented abroad, and application is made within two years, a Spanish Patent of ten years will be granted. If the applicant is not the inventor the term will be limited to five years.	Must be new and useful, and the applicant must be the inventor or the term of the Patent will be shortened. (See "Term of Patent.")	Term limited as stated under "Term of Patent."	Same as Belgium.	Invention must be worked in Spain or its Colonies within two years of date of *issue* of Patent, and must not cease for more than one year at a time. Actual working is required in the first instance, and proof must be furnished.	There is no examination as to novelty, and patents are granted as a matter of course.	Patents may be assigned. Cost variable.	Cost of Patent about $75.	It requires about three months to secure a Spanish Patent.
9 **ITALY.**	Covers Kingdom of Italy, Sicily and Sardinia. Population (of Italy proper) about 27,000,000.	Fifteen years, by prolongations. Usually for six years, and prolonged to fifteen.	Must not have been worked in the realm before application. Granted to the inventor or owner.	Term limited by previous foreign Patent having *longest* term. Term begins with the first day of March, June, September or December next following filing of application.	For 2d and 3d years, $18 each; for 4th, 5th and 6th years, $23 each; for 7th, 8th and 9th years, $28 each; for 10th, 11th and 12th years, $33 each; for 13th, 14th and 15th years, $38 each. Three months' grace.	A "six-year" Patent must be worked within two years, but a *bona fide* effort to work will usually suffice. Importation and setting up of machine made elsewhere will answer. Best to "prove" the working.	No rigid examination, and Patents usually granted if papers are in proper form; but medicines cannot be patented.	May be assigned in whole or in part. If assigned in part, or to more than one person in shares, all annuities must be paid up as far as Patent is prolonged at time of sale. Cost usually about $30.	For a "six-year" Patent, ordinarily about $100, including the annuities. Prolongation varies somewhat with the length of term—usually $30 to $40, *exclusive* of annuities for the years covered	The object in taking a "six-year" Patent in the first instance is to double the time allowed in which to work the invention. It usually requires from three to four months to obtain a Patent in Italy.
10 **RUSSIA.**	The whole Russian Empire except Finland. Population about 83,000,000. Population of Russia in Europe (Great Russia) 24,000,000.	Patent of Inve[ntion], three, five or ten years at the opti[on] of applicant, who must be inventor or owner. Patent of Importation, one, three or six years. No extension after grant of Patent.	Publication or working of invention in Russia prior to application invalidates Patent of Invention. Prior public working in Russia invalidates Patent of Importation.	Term begins with day of *issue*, and is limited by prior foreign patents, if any. Patents will not be granted for war material for use only by Government.	No annuities or taxes.	Invention must be worked within *first quarter* of the term of patent, and proof furnished within six months after. No subsequent working required. Machine may be imported and set in operation to satisfy the law. Importation is permitted.	No rigid examination, and Patents usually granted. Grant sometimes opposed by rival manufacturers, but not often. Invention must be really *meritorious* in order to obtain a Patent of Importation.	A Russian Patent may be assigned. Cost about $40.	For a 3-year patent, $200; for a 5-year patent $270. In a 10-year patent $480. For a 6-year Patent of Importation, about $300.	It requires from a year to eighteen months to procure a Russian Patent, and as it dates from the day of *issue*, it is best to file the Russian application before the United States Patent issues.
11 **SWEDEN.** (Law of January 1, 1885.)	Kingdom of Sweden. Norway has a separate patent law (see below). Population about 5,000,000.	Fifteen years.	The Patent will be granted only to the inventor or his accredited representative. Medicines and food not patentable. Valid patent cannot be obtained if invention has been published or openly practiced. (See "Conditions of Grant" for exception.)	The previous publication in the United States Patent taken by applicant is no bar or limitation if Swedish Patent be applied for within six months after issue of U. S. Patent. There is no limitation of term of Swedish Patent.	For first five years, $15 each year; for second five years, $22.50 each year; for the last five years, $30 each year. Ninety days' grace allowed.	Must be worked within three years of date of Patent, but an extension to four years may sometimes be obtained. Working must not be entirely discontinued for any one year during term of Patent. Rigidity of this requirement not yet ascertained.	There is no rigid examination as to novelty, but practice as yet not fully settled. It is believed a patent will be granted if the application is in form.	Patents may be assigned. Cost variable—usually $25.	Usually about $90; with the taxes paid for three years, $110.	Under the new Swedish law, which is much more liberal than the old one it supercedes, it is believed that inventors will do well to patent their inventions in Sweden.
12 **NORWAY.**	Kingdom of Norway. Population about 2,000,000. (Dec. 1, 1875.)	Five to ten [years] according to the decision of the [authorities.] Usually ten years.	If invention has been published already in Norse or Swedish, or worked in the realm, the patent will be void.	Not limited by previous foreign patent.	No annuities or taxes.	Invention must be worked within two years of issue date of Patent. No subsequent working required. It will suffice to import the machine and operate it. Importation is permitted.	No rigid examination. Application usually allowed.	Patent may be assigned. Cost about $25, but variable.	Usually about $100, but may often be reduced to $75 in particular cases.	A Patent may be obtained in Norway in about three to three and one-half months.
13 **LUXEMBURG.**	The Duchy of Luxemburg. Population about 211,000.	Fifteen years, [from] date of filing appl[ication.] Term begins with [date] of [issue.]	Same as in France. Patent must be taken in Germany to sustain the validity of Luxemburg Patent.	Same as in France.	Same as in Belgium, but with only three months' grace.	Same as in Belgium. Importation is permitted.	Same as in Belgium.	Patent may be assigned. Cost about $35.	Usually about $75.	The Luxemburg Patent expires if a German Patent has not been applied for within three months from filing Luxemburg application. Patent may be obtained in about two months.
14 **BRITISH INDIA.**	Indian Empire. Does not cover Native States. Population under the Governor General about 8,000,000.	Fourteen years. [Renew]able. English Patent, if [any.] Limited by previous	Applicant must be actual inventor or his personal representative or assignee. Invention must be new in United Kingdom and India; but working one year by inventor permitted.	Term limited only as stated under "Duration of Patent."	No taxes or annuities.	Working the Invention in India is not required. Importation allowed.	No examination as to novelty.	Patent may be assigned.	Cost varies. Usually about $150.	
15 **FINLAND.** (Law of 1876.	Grand Principality of Finland.	From three to twelve [years], at option of Government. Term begins with [is]sue of the Patent.	Invention must not have been published in Finland, nor introduced there. Applicant must be the true inventor.	Term is limited by previous foreign Patent, the publication of which is no bar to grant of Finnish Patent.	Taxes for each year are included in cost of Patent, and paid in full.	Inventions must be worked—usually within two years, but the term may be reduced or enlarged. Proof of continuous working required.	An official examination as to novelty and utility is made.	Patent may be assigned.	The cost is necessarily variable, as it depends on length of term and length of specification. Usually $300.	As the entire specification must be published in two Finnish newspapers at applicant's expense, it will be seen that the cost of Patent will necessarily vary, and cannot be fixed.


LIBRARY OF CONGRESS
0 027 989 862 A